

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10245-RGS
)	
ANDREW PERRY)	

DEFENDANT'S ASSENTED-TO MOTION TO CONTINUE
FINAL STATUS CONFERENCE

Defendant, Andrew Perry, respectfully moves that this Court continue the Final Status Conference, presently scheduled for January 25, 2005 at 2:30 p.m., to the week of February 14, 2005 or as soon thereafter as is convenient to the Court.¹ As support of this motion, defendant through counsel states that the parties anticipate resolution of the case short of trial. Counsel has been investigating defendant's criminal history so that the parties can affirmatively represent to the Court that the case should be reported to the District Court for disposition. Counsel's attention to this investigation has been diverted by the significant litigation engendered by the Supreme Court's recent decision in United States v. Booker, 2005 LEXIS 628 (January 12, 2005). Counsel expects that investigation to be completed by February 14, 2005 at which time the parties should be prepared to have the case sent to the District Court.

¹Counsel for the defendant is on leave from February 21, 2005 through March 2, 2005.

The government assents to this motion. The parties agree that the Court's prior orders have excluded time up to and including January 25, 2005. The parties further agree that the Court should exclude time up to and including the rescheduled Final Status Conference in the interests of justice to allow the parties to negotiate a resolution of the case short of trial.

Respectfully submitted,

MICHAEL SULLIVAN
UNITED STATES ATTORNEY

ANDREW PERRY
By His Attorney,

/s/ Timothy Watkins o/b/o
William H. Connolly
Assistant United States
Attorney
United States Courthouse
Suite 9200
1 Courthouse Way
Boston, MA 02210
Tel: 617-748-3174

/s/ Timothy Watkins
Timothy G. Watkins
Federal Defender Office
408 Atlantic Ave. 3rd Floor
Boston, MA 02110
Tel: 617-223-8061